

OKLAHOMA CONSERVATION COMMISSION

RULE IMPACT STATEMENT

Pursuant to 75 O.S. §§ 253(b) & 303(d)

For New Permanent Rules

OAC 155: Chapter 40. Water Quality Programs

Proposed for Adoption in 2009

A. A BRIEF DESCRIPTION OF THE PURPOSE OF THE PROPOSED RULES.

The rules proposed in this iteration of permanent rulemaking cover three areas. First, each state environmental agency is required to promulgate a Water Quality Standards Implementation Plan (WQSIP) for assigned jurisdictional areas of environmental responsibility. The primary purpose of these rules is to formally meet the statutory requirement for WQSIP development and promulgation. Second, the Oklahoma Conservation Commission (OCC) desires to formally declare the general plan whereby it will conduct its assigned responsibilities for the state's Nonpoint Source Management program. Third, the OCC wishes to formally convey general programmatic policies regarding the Water Quality Division's NPS Education and Outreach Program formally referred to as *Blue Thumb*.

B. A DESCRIPTION OF THE CLASSES OF PERSONS WHO MOST LIKELY WILL BE AFFECTED BY THE PROPOSED RULES, INCLUDING CLASSES THAT WILL BEAR THE COSTS OF THE PROPOSED RULES, AND ANY INFORMATION ON COST IMPACTS RECEIVED BY THE AGENCY FROM ANY PRIVATE OR PUBLIC ENTITIES.

These rules directly affect persons participating in OCC Water Quality Division programs and indirectly affect the citizens of the State of Oklahoma. The same classes affected will bear the costs (if any) of the rules. No cost impacts have been received to date.

C. A DESCRIPTION OF THE CLASSES OF PERSONS WHO WILL BENEFIT FROM THE PROPOSED RULES.

Persons who participate in OCC Water Quality Division Programs will benefit directly from the proposed rules. The citizens of the State of Oklahoma will benefit indirectly from agency programs outlined in these rules which work to improve water quality in the state.

D. A DESCRIPTION OF THE PROBABLE ECONOMIC IMPACT OF THE PROPOSED RULES UPON AFFECTED CLASSES OF PERSONS OR POLITICAL SUBDIVISIONS, INCLUDING A LISTING OF ALL FEE CHANGES AND, WHENEVER POSSIBLE, A SEPARATE JUSTIFICATION FOR EACH FEE CHANGE.

No economic impact on affected classes of persons or political subdivisions is expected from these rules. No fees are associated with these rules.

E. THE PROBABLE COSTS AND BENEFITS TO THE AGENCY AND TO ANY OTHER AGENCY OF THE IMPLEMENTATION AND ENFORCEMENT OF THE PROPOSED RULES, THE SOURCE OF REVENUE TO BE USED FOR IMPLEMENTATION AND ENFORCEMENT OF THE PROPOSED RULES, AND ANY ANTICIPATED EFFECT ON STATE REVENUES, INCLUDING A PROJECTED NET LOSS OR GAIN IN STATE REVENUES IF IT CAN BE PROJECTED BY THE AGENCY.

No extraordinary costs to the OCC or other agencies are anticipated with implementation of these rules. No effect on state revenues is anticipated.

F. A DETERMINATION OF WHETHER IMPLEMENTATION OF THE PROPOSED RULES WILL HAVE AN ECONOMIC IMPACT ON ANY POLITICAL SUBDIVISIONS OR REQUIRE THEIR COOPERATION IN IMPLEMENTING OR ENFORCING THE RULES.

No effect on any political subdivision is anticipated by implementing these rules. It is not anticipated that cooperation from political subdivision will be required to implement or enforce these rules.

G. A DETERMINATION OF WHETHER IMPLEMENTATION OF THE PROPOSED RULES MAY HAVE AN ADVERSE ECONOMIC EFFECT ON SMALL BUSINESS AS PROVIDED BY THE OKLAHOMA SMALL BUSINESS REGULATORY FLEXIBILITY ACT.

The agency knows of no adverse effects these rules will have on small business.

H. AN EXPLANATION OF THE MEASURES THE AGENCY HAS TAKEN TO MINIMIZE COMPLIANCE COSTS AND A DETERMINATION OF WHETHER THERE ARE LESS COSTLY OR NONREGULATORY METHODS OR LESS INTRUSIVE METHODS FOR ACHIEVING THE PURPOSE OF THE PROPOSED RULES.

There are no measures to be taken to minimize compliance costs, and there are no less costly or nonregulatory methods or less intrusive methods for achieving the purpose of these proposed rules.

I. A DETERMINATION OF THE EFFECT OF THE PROPOSED RULES ON THE PUBLIC HEALTH, SAFETY AND ENVIRONMENT AND, IF THE PROPOSED RULES ARE DESIGNED TO REDUCE SIGNIFICANT RISKS TO THE PUBLIC HEALTH, SAFETY AND ENVIRONMENT, AN EXPLANATION OF THE NATURE OF THE RISK AND TO WHAT EXTENT THE PROPOSED RULES WILL REDUCE THE RISK.

The proposed rules formally assure the public regarding programs which offer benefit to public health, safety and environment through implementation of water quality management activities which uphold the state's water quality standards in general and abate nonpoint source pollution specifically.

J. A DETERMINATION OF ANY DETRIMENTAL EFFECT ON THE PUBLIC

HEALTH, SAFETY AND ENVIRONMENT IF THE PROPOSED RULES ARE NOT IMPLEMENTED.

The agency is not aware of any detrimental effect the proposed rules will have on the public health, safety, and environment.

K. THE DATE THE RULE IMPACT STATEMENT WAS PREPARED AND, IF MODIFIED, THE DATE MODIFIED.

December 15, 2008.